



DKT. 30436.57USU1/SBA/SH

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants** : Robert J. Peach et al.  
**Serial No** : 09/865,321  
**Filed** : May 23, 2001  
**For** : SOLUBLE CTLA4 MUTANT MOLECULES AND USES  
THEREOF

35 No. Arroyo Parkway  
Pasadena, California 91103  
August 13, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Missing Parts

SIR:

**COMMUNICATION IN RESPONSE TO  
JUNE 11, 2001 NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

This Communication is submitted in response to a June 11, 2001 Notice to File Missing Parts of Nonprovisional Application issued in connection with the above-identified application. A copy of the June 11, 2001 Notice is attached as Exhibit 1. A response to the Notice to File Missing Parts is due August 11, 2001. Since August 11, 2001 falls on a Saturday a response is due Monday, August 13, 2001. Accordingly, this response is being timely filed.

Applicants hereby submit their Declarations and Powers of Attorney pursuant to 37 C.F.R. §1.53 (b) and in compliance with 37 C.F.R. §1.63 (Exhibit 2). The Declarations refer to the application's above-identified serial number and filing date.

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Filed: May 23, 2001  
Page 2

The surcharge for responding to the Notice to File Missing Parts of Nonprovisional Application is \$130.00 and a check for that amount is enclosed. No other fee is deemed necessary in connection with the filing of this response. However if any additional fee is required, Applicants hereby authorize the Patent Office to charge the amount of any such fee to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

Sarah B. Adriano  
Registration No. 34,470  
SaraLynn Mandel  
Registration No. 31,853  
Attorneys for Applicants  
Mandel & Adriano  
Customer No. 26,941





# UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/865,321	05/23/2001	Robert J. Peach	D0028PNP

23914  
MARLA J MATHIAS  
BRISTOL-MYERS SQUIBB COMPANY  
PATENT DEPARTMENT  
P O BOX 4000  
PRINCETON, NJ 08543-4000

CONFIRMATION NO. 2959

## FORMALITIES LETTER



\*OC000000006189734\*

Date Mailed: 06/11/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 130.

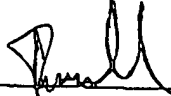
- o This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 28620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application.
- o Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 308-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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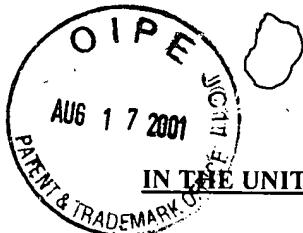
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



SECTA  
BOX 50

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Robert J. Peach et al.  
**Serial No.:** 09/865,321  
**Filed:** May 23, 2001  
**Docket:** DB0028PNP/30436.57USU1  
**Title:** SOLUBLE CTLA4 MUTANT MOLECULES AND USES THEREOF

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 13, 2001.

By: [Signature]  
Name: Richelle Ann Domingo

35 N. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
August 13, 2001

Box Missing Part  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir: ..

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Amendment in Response to June 11, 2001 Notice to File Missing Parts of Nonprovisional Application
- ☒ Exhibit A- A copy of June 11, 2001 Notice to File Missing Parts of Nonprovisional Application
- ☒ Exhibit B- Version with Markings to Show Changes Made
- ☒ Exhibit C-Sequence Listing (Seq. ID No. 1-8) in Paper Copy and Diskette
- ☒ Exhibit D-Declaration Pursuant to 37 C.F.R. §1.821(f)
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

**MANDEL & ADRIANO**

35 N. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
(626) 395-7801

By: [Signature]  
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Initials: SBA  
Customer No. 26,941